IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 49 of 1996

Between:

P. Adinarayana S/o. Mohd. John
R/o. Yetimoga, Kakinada, E.G.Dist.

..... PETITIONER

AND

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1 Government of Andhra Pradesh, Revenue Department,
Secretariat Buildings, Hyderabad.
2 District Collector, East Godavari District, Kakinada.
3 Revenue Divisional Officer and Land Acquisition Officer,
East Godavari Dist.
4 Mandal Revenue Officer, Karapa Mandal,
East Godavari Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction declaring the Notification U/s 4(1) of the L.A. Act published in A.P., Gazette dated: 13.10.1995 and declaration U/s 6 published in A.P. Gazette issued by the 2nd respondent for acquiring an extent of Ac. 0.02 cts in S.No.19/6 out of Ac.1.48 cts (100 sq.yards) situate in Nadakuduru Village, Karapa Mandal, East Godavari Dist., as illegal, arbitrary etc.

Counsel for the Petitioner: MR.V.V.L.N.SARMA

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

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ORDER:

When the Government proposed to acquire Acs.21.66 cents in Sy.Nos.19/2 to 19/13 of Nadakuduru Village of Karapa Mandal for the purpose of Agricultural Market Yard, petitioner filed this petition questioning the acquisition on the ground that though he is the owner of Acs.0.02 cents sought to be acquired under the impugned notification, no notice whatsoever is given to him though he has a registered sale

deed dated 17.2.1996 in respect of the land in his favour.

Learned Government Pleader for Land Acquisition on instructions from the Revenue Divisional Officer, Kakinada states that since land to an extent of Acs.0.02 cents belonging to the petitioner is not included in the award bearing No.1/97, dated 21.12.1997 passed by the Land Acquisition Officer it is clear the land of the petitioner is untouched in the acquisition and so petitioner is not entitled to any relief.

Since the land of the petitioner is said to be untouched, and is said to be not acquired under the notification impugned, petitioner is not entitled to any relief in this writ petition. If his land is being interfered with by anybody, petitioner can seek remedies available to him in respect of the said land.

Accordingly, the Writ Petition is dismissed. No costs.

C.Y. Somayajuly, J.

13th July, 2005

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To

1 Government of Andhra Pradesh, Revenue Department,
Secretariat Buildings, Hyderabad.
2 District Collector, East Godavari District, Kakinada.
3 Revenue Divisional Officer and Land Acquisition Officer,
East Godavari Dist.
4 Mandal Revenue Officer, Karapa Mandal,
East Godavari Dist.

5 Two CCs to G.P. for Land Acquisition, High Court Buildings,

Hyderabad.

6 2 CD copies.